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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/764,170	01/22/2004	Bahar N. Wadia	37041-11007	7836
2574	7590	03/21/2006	EXAMINER	
JENNER & BLOCK, LLP ONE IBM PLAZA CHICAGO, IL 60611				TRUONG, BAO Q
		ART UNIT		PAPER NUMBER
		2875		

DATE MAILED: 03/21/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	10/764,170	WADIA ET AL.
Examiner	Art Unit	
Bao Q. Truong	2875	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 23 February 2006.
- 2a) This action is FINAL.                            2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-59 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) 29-55, 58 and 59 is/are allowed.
- 6) Claim(s) 1-5, 10-14 and 17-21 is/are rejected.
- 7) Claim(s) 6-9, 15, 16, 22-28, 56 and 57 is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 2/23/2006 has been entered.

### ***Claim Objections***

2. Claim 29 is objected to because of the following informalities: "said penetration" should be changed to –said cavity-- for consistency. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-5, 10-14 and 17-21, are rejected under 35 U.S.C. 103(a) as being unpatentable over Noll et al. [US 6,598,988].

Regarding claim 1, Noll et al. discloses a display profile having a substrate [4], a penetration [6] extending through the substrate [4] with a side wall, an entrance opening [at light source 7] and an exiting opening [at top lens 9], a light emitting device [7] mounted to the surface of the substrate [4], and a source of electrical conductor, inheritance, connecting to the substrate [4, a PCB] to power the light emitting device [7] (figure 6). However, Noll et al. does not clearly show in the figure 6 (Fig. 6) that the electrical conductor attached to the surface of the substrate.

In another embodiment of Noll et al., at Fig. 4, Noll et al. discloses the electrical conductor [12, 13] of the light emitting device [7] being attached to the surface of the substrate [4] (figure4).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the electrical conductor connection of the embodiment of Fig. 6 with the electrical conductor connection to the surface as taught by Noll et al.' another embodiment for purpose of providing an advantageous way of manufacturing.

Regarding claims 2 and 3, Noll et al. discloses the substrate [4] being varying/substantially uniform cross-section (figure 6).

Regarding claim 4, Noll et al. discloses a PCB [4] with wires [12, 13] (figure 4).

Regarding claim 5, Noll et al. discloses a user interface panel [3, light guiding] (figure 1).

Regarding claims 10-12, Noll et al. discloses a light guide [10] (figure 3).

Regarding claims 13 and 14, Noll et al. discloses the PCB [4] (figure 6).

Regarding claim 17-20, Noll et al. discloses LED [7] (abstract).

Regarding claim 21, Noll et al. discloses a single penetration (figure 6).

***Allowable Subject Matter***

5. Claims 6-9, 15, 16, 22-28, 56 and 57 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

6. The following is a statement of reasons for the indication of allowable subject matter:

Claim 6, the side wall is covered with a substantially opaque material.

Claims 7-9 are dependent on claim 6.

Claim 15, the apparatus comprises a light diffuser.

Claim 16 is dependent on claim 15.

Claims 22, 56 and 57, the display comprises a plurality of penetrations.

Claim 23, the apparatus has an electronic component on the substrate.

Claims 24-28 are dependent on claim 23.

7. Claims 29-55, 58 and 59 are allowed.

Claim 29, an integrated low profile display apparatus comprises, in combination, a substrate having a cavity defined by a substantially opaque side wall, an entrance opening and a closed end, and a light emitting device mounted to a first surface of the substrate proximate the entrance opening and a corresponding electrical conductor of the light emitting device attached to the first surface of the substrate.

Claims 30-55, 58 and 59 are dependent on claim 29.

The limitations discussed above are neither disclosed nor suggested by the prior art of record.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bao Q. Truong whose telephone number is (571) 272-2383. The examiner can normally be reached on Monday-Friday (8:00 AM - 4:00 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra L. O'Shea can be reached on (571) 272-2378. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Bao Q. Truong  
Examiner  
Art Unit 2875  
  
ALI ALAVI  
PRIMARY EXAMINER